

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

JOSE ANTONIO OLMEDA MIRANDA

Case No. 18-06747-BKT

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO\*

<b>I. Appearances</b> Debtor <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> Joint Debtor <span style="margin-left: 40px;"><input type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> Attorney for Debtor <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span>  <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 1/3/2019 10:50:00AM  <input checked="" type="checkbox"/> R <span style="margin-left: 40px;"><input type="checkbox"/> NR</span> LV: To be determinend <input type="checkbox"/> This is debtor(s) 0 Bankruptcy filing.  Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <u>Banco Popular de P.R. by Mr. Miguel Rivera</u>  <u>First Bank by Ms. Norma Melchor</u>  <u>Treasury Department-Ms.Minoshka Velez</u> </div>
<b>II. Oath Administered</b> <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Yes</span> <span style="margin-left: 40px;"><input type="checkbox"/> No</span>	
<b>III. Plan</b> Date: 12/21/2018 Base: \$54,000.00 Payments 0 made out of 1 due.  Confirmation Hearing Date: 1/25/2019 2:30:00PM  Evidence of Pmt shown: Yes	
Attorney's fees as per R. 2016(b)  <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">\$3,000.00</div> <div style="margin-right: 10px;">-</div> <div style="margin-right: 10px;">\$500.00</div> <div style="margin-right: 10px;">=</div> <div>\$2,500.00</div> </div>	
<b>IV. Status of Meeting</b> <input type="checkbox"/> Closed <span style="margin-left: 20px;"><input type="checkbox"/> Not Held</span> <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Held/Continued</span> <input type="checkbox"/> Held/Not Closed  <input type="checkbox"/> Continued  Continued Date: 1/24/2019 10:30:00AM Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☐ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☒ Tax returns missing
  - ☒ State - yearsIVU returns 2014-2017
  - ☒ Federal - years2014-2017

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
  - ☐ Premises
  - ☐ Vehicle(s):
  - ☐ Licenses issued by:

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Trustee's objection to confirmation

- ☐ Objection to Confirmation  
☐ Oral objection by creditor

ACP: 3

Household size: 1

The meeting was held and continued. Debtor has to correct some financial information from his 2 business and amend documents submitted and correct schedules.

Debtor has failed to commence the plan payments as required by 11 USC 1326(a)(1).

Debtor's drivers license expired in September. A vehicle will be paid thru the plan and Debtor has to provide evidence of the renewal of his license.

Debtor has a business named JA Contractors, said company received income from FEMA funds thru an independent contractor. Said income is no longer received. Debtor to provide income received from such companies and provide evidence of the deposits made by the companies in debtor's bank account.

1. Schedule J does not disclose the following:

\*Taxes expenses

\*Debtor has a Dodge Ram 2015, only discloses \$60 as transportation expenses. Debtor will review J.

\*Debtor has business named Navarro's Café, no rent expenses, utilities, and purchases made on a monthly basis.

\*Debtor will review if business income and expenses sheet is for his 2 business.

FAILS LIQUIDATION VALUE TEST, §1325(a)(4): 1. Debtor is the sole owner of Navarro's Cafe, however, business equipment and inventory has not been listed.

DOMESTIC SUPPORT OBLIGATION, (Recipient(s) data §1302(b)(6)): Provide DSO recipient information.

DOMESTIC SUPPORT OBLIGATION, (Post-petition §1325(a)(8)): Provide evidence of being current with DSO post-petition payment.

OTHER: 1. Debtor listed business equipment as inventory JA Contractor. 2. YTD income has not been listed in SOFA also income for for 2017. 3. SOFA does not discloses from when JA Contractor commenced operations. 4. Schedule I discloses debtor's net income for \$1,1995.92. Clarify if this income is from both business. 5. Debtor listed in Schedule A/B a 2017 Nissan Frontier, per poc #6 this is a lease, plan provides to this creditor as secured. 6. Plan does not provide for priority claim #3 by Department of Treasury.

The following party(ies) object(s) confirmation:

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s/Osmarie Navarro

Date: 01/03/2019

Trustee/Presiding Officer

(Rev. 05/13)